(*b*) whether there are any rules to govern the conduct of the railway contractors in their relation to the labourers and whether Government can exercise any control over them either through the Commissioner of Labour or otherwise?

A.—(*a*) The Government have no information regarding the rates fixed for unskilled labour. So far as they are aware, there is nothing to prevent contractors regulating the wages in accordance with the state of the labour market.

(*b*) The answer is in the negative.

Mr. K. PRABHAKARAN TAMPAN:—" May I know whether the Government are aware, through memorials received from the coolies or otherwise, that the contractors are paying to the coolies only wages below the normal rate and that even that is not regularly disbursed?"

The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur:—" The Government have no information."

Mr. K. PRABHAKARAN TAMPAN:—" Am I to understand that there is no remedy open to these coolies other than that of strikes or by direct action to get their grievances redressed?"

The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur:—" If a representation is made to me I will go into the question."

Mr. K. PRABHAKARAN TAMPAN:—" Is it not part of the duty of Labour Officer to enquire into these things and get their grievances redressed?"

The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur:—" Yes, but how is the Labour Officer to know their grievances."

Rai Bahadur Sir K. VENKATAREDDI NAYUDU:—" Have the Government taken powers to dictate terms to the employers of labour as to how much they are to pay to their labourers?"

The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur:—" No."

Bench Courts.

The first-class Bench at Mangalore.

*130 Q.—Mr. J. A. SALDANHA: Will the hon. the Law Member be pleased to state—

(*a*) what is the strength of the first-class Bench at Mangalore;

(*b*) what are the qualifications of the President of the Bench at Mangalore and what were the qualifications of his predecessor;

(*c*) what are the precedents and antecedents of the other members of the Bench;

(*d*) how many cases were transferred from the Bench Court to the other courts during the year ending 31st May 1925 and under what classes of offences and by which magistrate;

(*e*) how many cases under the Motor Vehicles Act were tried by the Bench during the year ending 31st May 1925 and what was the number of convictions; and

(*f*) whether there has been an order made by the District Magistrate to the effect that no cases under the Motor Vehicles Act should be sent to the Bench and on what grounds?

19th August 1925]

A.—(*a*) The strength of the Bench is 15.

(*b*) The present President is a Bar.-at-Law and a landlord paying a large amount of assessment to Government. His predecessor was a law graduate and a retired Sub-Judge.

(*c*) A list showing the names of the magistrates with their qualifications is appended.[a]

(*d*) Forty cases were transferred to other courts. The classes of offences and the magistrates by whom transfers were made are shown below :—

Offences.	Number of cases transferred.	By whom transferred.
Indian Penal Code	27	Subdivisional Magistrate.
District Municipalities Act ..	2	Do.
Town Nuisance Act	3	Do.
Hackney Carriage Act	1	Do.
Prevention of Cruelty to Animals Act.	4	Do.
Motor Vehicles Act	3	District Magistrate.

(*e*) Thirteen cases under the Motor Vehicles Act were tried during the year out of which twelve ended in conviction.

(*f*) The Government are inquiring into the matter.

Mr. P. ANJANEYULU :—" Arising out of the answer to clause (*b*), may I know whether any qualifications are prescribed for the presidentship of first-class Bench Courts in any place in this Presidency ? "

The hon. Sir C. P. RAMASWAMI AYYAR :—" No qualifications are prescribed. But qualifications are generally expected."

Rao Sahib P. V. GOPALAN :—" With reference to clause (*d*), may I just ask the hon. the Law Member whether a subdivisional officer is not bound to show reasons when he transfers cases from the first-class bench magistrates' file to the file of any other court under section 528, clause (5), of the Criminal Procedure Code ? "

The hon. Sir C. P. RAMASWAMI AYYAR :—" I presume that when cases are transferred they are transferred on account of specific reasons."

Mr. J. A. SALDANHA :—" Is it a fact that the magistrates are not asking for the reasons against a transfer when an application for transfer is made ?

" I take that statement made by the hon. the Law Member as authentic and it will be included in the enquiry referred to in clause (*f*)."

Composition of the Bench Court, Tirupattur.

* 131 *Q.*—Mr. R. VEERIAN : With reference to question No. 563 answered on 20th March 1925 regarding the Bench Court at Tirupattur, will the hon. the Law Member be pleased to state—

(*a*) whether the information has already been called for ; and

(*b*) if so, whether the Government will lay the same on the table of this Council ?

[a] Printed as Appendix X on page 270 infra.